

# OFFICE OF THE ATTORNEY GENERAL

85-00112



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DEC 4 1984

Honorable Richard Laird  
Member, House of Representatives  
District No. 37  
46 Randolph Plaza  
Roanoke, Alabama 36274

Boards of Registrars - Offices and  
Officers - Compensation

Board of Registrars may not be  
compensated for more than the  
maximum number of allotted days.  
(Code of Alabama 1975, §17-4-156).

Dear Representative Laird:

Our office received an opinion request from you  
concerning the following matter:

I would appreciate the Attorney General's  
opinion on Section 1, Subsection (a) (of Code of  
Alabama 1975, §17-4-156 as amended), where it  
states that "there shall be in attendance at the  
courthouse one member of the board to receive  
applications, administer oaths and perform clerical  
duties of the board. Upon unanimous agreement of  
the board, one member may be designated full-time  
chief clerk to effectuate the provisions of this  
subsection." The question is whether they will  
receive extra pay for extra days?

A similar question pertaining to Code of Alabama 1975,  
§17-4-156 was answered by our office previously. In the  
opinion to Honorable Don Siegelman, Secretary of State, under  
date March 29, 1984, our office stated:

This section gives the boards discretion in determining how many session days they will meet, within the limits prescribed. I see nothing in this section which would prevent the board from splitting its session days among the members of the board so that one member would be present each day to take applications, as long as no individual member was compensated for more than the maximum number of allotted days. (opinion enclosed)

It must be noted that the above mentioned opinion addresses Section (c) of 17-4-156. The language used in Section (c), however, is synonymous with the language used in Section (a) pertaining to this particular provision.

It must also be noted that the above mentioned opinion was written prior to the second 1984 amendment. However, the second 1984 amendment did nothing more than to correlate the working days of the board with the fiscal year beginning October 1, 1984. Of course the Legislature could at any time amend the present law to provide more days for which the members of the Board could be compensated.

I do hope I have adequately answered your inquiry. If, however, I may be of further assistance to you, please do not hesitate to contact me.

Sincerely,

CHARLES A. GRADDICK  
Attorney General  
By:

  
SUSAN MCKINNEY  
Assistant Attorney General

CAG/sm/s

84-230

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MAR 29 1984

Honorable Don Siegelman  
Secretary of State  
The Capitol  
Montgomery, Alabama 36130

Boards of Registrars - Officers  
and Offices - Registration -  
Compensation

Board of registrars may split its  
session days so that one member  
is present at the courthouse each  
day to take applications.

Dear Mr. Siegelman:

You have requested an opinion from this office regarding  
the splitting of session days by boards of registrars, as  
follows:

May the Board of Registrars in a county  
which has, for example, ten session days  
per month allotted to it by the Code of  
Alabama work out a schedule where one  
member of the Board is in the Courthouse  
each day that the Courthouse is open that  
month, thus insuring a full time Board,  
and may each member receive compensation  
for his or her work?

In response to your question, Section 17-4-156, Code of  
Alabama 1975, prescribes the number of session days that each  
county's board of registrars may meet each year. Section  
17-4-156(c) states that "The actual number of session days  
shall be determined by a quorum of the board according to the  
needs of the county." This section gives the boards discre-  
tion in determining how many session days they will meet, with-  
in the limits prescribed. I see nothing in this section which

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would prevent the board from splitting its session days among the members of the board so that one member would be present each day to take applications, as long as no individual member was compensated for more than the maximum number of allotted days.

The board should meet collectively for at least several days each month in order to vote on applications and conduct other business of the board for which a quorum is needed.

Very truly yours,

CHARLES A. GRADDICK  
Attorney General  
By-



LINDA C. BRELAND  
Assistant Attorney Gneral

LCB/mi